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| 09/663,354 | 09/15/2000 | Atsushi Misawa | 0879-0273P | 1844 |
| 2292 7590 09/29/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | | |
| EXAMINER CHEN, CHIA WEI A | | | | |
| ART UNIT 2622 | | PAPER NUMBER | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

09/663,354

Applicant(s)

MISAWA, ATSUSHI

Examiner

CHIA-WEI A. CHEN

Art Unit

2622

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 6-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 6, 7, 9 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakui (US #5,648,816) in view of Sasson et al. (US #5,016,107) futher in view of Ejima (US #5,805,219).

Claim 6, Wakui teaches a digital camera for capturing images (see Fig. 1), comprising:

- a built-in, non-volatile memory (image flash memory 20) for storing a plurality of images in the form of image data (one image is stored in one block, and there are a plurality of blocks in the image flash memory 20; Fig. 3, col. 7, lines 7-24), said built-in, non-volatile memory being provided in a camera body (Fig. 1);
- a detachable memory card (31) for storing image data;
- an insertion slot for receiving said detachable memory card (insertion opening, col. 6, lines 21-24);

- detecting means for detecting insertion of said detachable memory card into said insertion slot (connection detecting means 16; col. 5, lines 64-68); and

but does not expressly teach wherein the detachable memory card has a larger storage capacity than said built-in, non-volatile memory and wherein the memory control means, upon said detecting means detecting said insertion of the detachable memory card, directly and automatically transferring the image data from said built-in, non-volatile memory to said detachable memory card.

Sasson teaches wherein the detachable memory card (24) has a large storage capacity than a built-in memory (col. 5, line 32-col. 7, line 16).

It would have been obvious to one of ordinary skill in the art at the time of invention to have used the larger detachable memory card of Sasson with the digital camera system of Wakui in order to store more images than would otherwise be possible with a smaller capacity detachable memory card.

However, Sasson does not teach wherein memory control means, when said detecting means detects said insertion of the detachable memory card, directly and automatically transferring the image data from said built-in, non-volatile memory to said detachable memory card.

Ejima teaches a camera (Fig. 4) comprising a memory control means (control device 70), when a detecting means (detection pin 40c) detects an insertion of a detachable memory card (memory cartridge 2), directly and automatically transferring the image data from the camera to the detachable memory card (See Fig. 3, especially steps S104-S106. When the presence of a memory cartridge is detected, direct and

automatic recording of file management data occurs when the recording of the data is not yet completed.).

It would have been obvious to one of ordinary skill in the art at the time of invention to have used the teaching of Ejima with that of Wakui and Sasson in order to provide an apparatus capable of performing the necessary safety measures certainly when the detachable recording medium is ejected during data recording. (See col. 1, line 66-col. 2, line 2.)

Claim 7, Wakui teaches wherein said built-in, non-volatile memory is initialized to allow for new image capturing upon said memory control means automatically transferring said image data (after image data is written in the memory card 31, the recorded image data is erased from the image flash memory 20; col. 20, lines 59-61).

Claims 9 and 13, Wakui teaches wherein said detachable memory card (31) is mainly for attachment when the digital camera is not being used to capture images and is normally detached when the digital camera is being used to capture images, and the digital camera is usable to capture images when the detachable memory card is detached from and inserted into the insertion slot (Image capture without memory card 31: col. 8, line 61-col. 42. Image capture with memory card 31: col. 10, lines 27-67).

Claims 14 and 15, the subject matter in claims 14 and 15 can be found in claims 6 and 13. Therefore, claims 14 and 15 are analyzed and rejected as previously discussed with

respect to claims 6 and 13. It is noted that Wakui teaches an image processing circuit 8 to process captured images before storage in either the flash memory 20 or in the memory card 31.

Claim 16, Wakui in view of Sasson and Ejima teaches the subject matter of claim 6, Ejima further teaches wherein upon detection of insertion of the detachable memory card (memory cartridge 2), the data is automatically transferred from the camera to the detachable memory card without any interaction by a user (See Fig. 3 and steps S104-S106. When the presence of a memory cartridge is detected, recording of file management data occurs when the recording of the data is not yet completed. There is no need for user interaction in this process.).

Wakui teaches a built-in, non-volatile memory (image flash memory 20) within the camera.

It would have been obvious to one of ordinary skill in the art at the time of invention to have used the teaching of Ejima with that of Wakui and Sasson for the rationale provided in the analysis of claim 6.

4. Claims 8, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasson, Wakui, and Ejima, as applied to claim 6 above, and further in view of Watanabe (US #4,887,161).

As to claims 10, 11 and 12, the claims differ from Sasson '107, as modified by Wakui '816 and Ejima '219, in that they require said detachable memory card is partially

exposed so that a user can grasp the memory card by the exposed part to detach said memory card from said camera body, wherein when said detachable memory card is inserted into the insertion slot, more than 1/3 of said detachable memory card is exposed in an insertional direction of said detachable memory card.

In the same field of endeavor, Watanabe '161 teaches a digital camera (10) having a detachable memory card (20) wherein more than 1/3 of the memory card is exposed in an insertional direction of the memory card (Figs. 1-3), and the memory card is partially exposed so that a user can grasp the memory card by the exposed part with fingers to detach said memory card from said camera body (col. 3 lines 42+). In light of the teaching of Watanabe, it would have been obvious to one skilled in the art to have the memory card shown in Sasson ' 107, Wakui '816, and Ejima '219 be partially exposed allowing the user to detach the memory card from the camera so as to eliminate the need to have a rejecting mechanism for the memory card, thus reducing the size and weight of the digital camera.

As to claim 8, the claim differs from Sasson '107, as modified by Wakui '816 and Ejima '219, in that the claim requires that the camera body in an insertional direction of said memory card is shorter than said memory card in the insertional direction of said memory card. Watanabe shows that the camera body in an insertional direction of said memory card is the same as said memory card in the insertional direction of said memory card. Since it is highly desirable for the memory card to be easily and readily removed from the camera body, it would have been obvious to one skilled in the art to

have the memory card shown in Sasson '107, Wakui '816, Ejima '219 and Watanabe '161 longer than the camera body.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-WEI A. CHEN whose telephone number is (571)270-1707. The examiner can normally be reached on Monday - Friday, 7:30 - 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622

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/C. A. C./
Examiner, Art Unit 2622